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Frances P. Gardener

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FRANCES P. GARDENER.

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APRIL 12, 1892.—Committed to the Committee of the Whole House and ordered to be printed.

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Mr. HENDERSON, of North Carolina, from the Committee on Pensions, submitted the following

REPORT:

[To accompany H. R. 3713.]

The Committee on Pensions, to whom was referred the bill (H. R. 3713) granting an increase of pension to Frances P. Gardener, have considered the same and report:

The following is a statement of the service of the claimant's deceased husband:

Capt. George W. Gardiner was graduated from West Point in 1814, his name heading the class in Cullum's Register.

He served in the war of 1812-'15 with Great Britain.

Was commandant of cadets and instructor of infantry tactics and of artillery at West Point.

In 1828 was brevetted for faithful service. He had a fine military record, and was considered a superior and accomplished officer.

He was killed in the Florida war of 1835, being engaged in Dade's desperate battle with the Seminole Indians.

The officers of the detachment (commanded by the gallant Maj. Dade), who marched from Tampa Bay to the relief of Fort King, had reason to believe that the command could not reach the fort alive, and that an Indian massacre was before them, yet with unflinching devotion to duty and with a steady heroism unsurpassed in our annals, they marched bravely on, and against hopeless odds fought till all save three were slain.

The following petitions accompany the bill:

*To the honorable the Senate and*

*House of Representatives of the United States:*

I most respectfully petition for relief.

I am the widow of Capt. George W. Gardiner of the U. S. Army, who was killed in the Dade massacre in the Florida war with the Seminole Indians in 1835.

I am now nearly 80 years of age, in broken health, and with many infirmities, and am unable to provide myself with the necessary comforts of life upon the pension of \$25 per month now allowed me.

In 1853 through the kind efforts of the representatives of my native State of Connecticut, a special act giving me this pension for life, was passed without an adverse vote in either House of the then existing Congress. But for many years, widows of officers who held the same rank as Capt. Gardiner, have received, and are now receiving an increase of pension.

In failing health and with at most but a few years of life before me, I can not long be a recipient of your bounty, and in view of all the circumstances I most respectfully ask that this increase of pension (with the arrears) may now be added to my pension.

My father, Lieut. A. C. Fowler, of the regular Army, who served in the war of 1812, died in the service, and I supported my mother, Mrs. Fowler, through her widowhood.

I wish also to state that a bill passed through Congress giving to Mrs. Fowler a

pension for life (with the arrears), but before it was confirmed her sudden decease prevented its benefits accruing to her or her heirs.

My only brother, Maj. Fowler, served through the Mexican war and was three times promoted for gallant conduct; and my brother-in-law, Col. A. C. W. Fanning, died in the service of his country.

Less than three years ago my only son, Col. Gardiner, who served in the war of the rebellion, died suddenly, thus leaving me without a living child or protector, and with no relative able to help or care for me.

As the daughter, sister, and mother of soldiers who have served their country well, and as the widow of a brave officer whose life was needlessly sacrificed, I trust my case to the justice and liberality of your honorable body and beg that you will grant me the relief so greatly needed.

FRANCES P. GARDINER.

NEW HAVEN, CONN., January, 1892.

*To the Senate and House of Representatives of the United States:*

The undersigned citizens of New Haven, Conn., respectfully recommend to your early and favorable consideration, the foregoing petition from Mrs. Frances P. Gardiner, who has long been a respected resident of our city.

Charles R. Ingersoll, ex-governor of Connecticut; Timothy Dwight, president of Yale University; E. J. Phelps, ex-United States minister to England; George P. Fisher, professor in Yale University; George J. Brush, director of Sheffield Scientific School; Lwys B. Morris, elected governor but not acknowledged by house of representatives; Colin M. Ingersoll, ex-member United States Congress; A. Heaton Robertson, judge of probate; N. D. Sperry, United States postmaster, New Haven; L. E. Munson, ex-United States judge, district of Montana; Edwin Harwood, rector of Trinity Church, New Haven; H. B. Harrison, ex-governor of Connecticut; S. E. Merwin, late Republican candidate for governor; Daniel C. Eaton, professor in Yale University; Charles A. White, attorney and counselor at law.

The gentleman who introduced the bill in the House appeared before your committee and stated that Mrs. Gardiner is entirely without any means of support aside from her pension, and her needs are extraordinary in that she requires the constant care and attention of others.

Your committee regard the case as an exceptional one, and in the light of the fact that the claimant's husband died in battle while rendering his country arduous and valuable service, and in view of her helpless and dependent condition, the passage of the bill is recommended, with an amendment fixing the rate of pension at \$40 per month.

An amendment changing the spelling of the claimant's surname to *Gardener* is also recommended.